

Chapter 106 WATERWAYS*

***Cross reference(s)**--Buildings and building regulations, ch. 10; environment, ch. 26; inspections for the abatements or removal of fire hazards at public or private docks and marinas, § 30-2; planning, ch. 66; streets, sidewalks and other public property, ch. 74.

State law reference(s)--Watercraft and marine safety, MCL 324.80101 et seq.

ARTICLE I. IN GENERAL

Secs. 106-1--106-30. Reserved.

ARTICLE II. MUSKEGON LAKE

Sec. 106-31. Special anchorage area.

- (a) The city, upon approval of the U.S. Army Corps of Engineers, shall assume the responsibility for the licensing and regulation of the placement of privately owned mooring buoys in the special anchorage area of Muskegon Lake.
- (b) The special anchorage area shall be divided into individual mooring areas in accordance with a plat on file in the office of the city clerk. Each individual mooring area shall be designated by number as shown on such plat.
- (c) All persons desiring to place or maintain a private boat mooring buoy in the special anchorage area shall first obtain a permit at the office of the city manager, city hall. Permits shall be valid for the calendar year in which they are issued. Applications may be filed on or after the first business day of each year. Permits shall be issued for individual mooring areas by designated number. Those persons having private mooring buoys in place within the special anchorage area at the time of adoption of this section may apply for a specific individual mooring area by number which most closely corresponds with the existing location of their mooring buoy. Insofar as practical the city will assign individual mooring areas so as to cause a minimum relocation of such buoys.
- (d) The city will accept applications from those presently having a permanent private mooring buoy in place and those adjacent property owners who wish to establish a permanent mooring. Mooring areas that remain vacant or unassigned will be available to new applicants.
- (e) Upon application, renewal permits will be issued to previous holders where change of ownership or location is not involved. Mooring areas that have not been used during the previous year shall be vacated and made available to new applicants, except where moor damage or repair to a boat required vacation of the mooring for the year.
- (f) An initial fee in the amount established by resolution shall accompany the first application for a mooring area. Annual renewal permits may be obtained for the fee established by resolution. Upon receipt of a permit, the applicant shall be

responsible for the following:

- (1) The applicant shall construct and/or relocate his mooring in such a manner that it shall maintain its position in the assigned mooring area. The buoy shall be placed at the center of the assigned mooring area.
- (2) The buoy shall be permanently marked with the mooring area number in lettering at least three inches high so as to be clearly visible.
- (3) The permit holder shall be solely responsible for the buoy's maintenance and location.

(Code 1975, § 13-1)

Sec. 106-32. No wake speed zone for Muskegon Channel.

- (a) This section is adopted in accordance with regulation no. 61--Muskegon County, of the state department of natural resources, being WC-61-99-001 Muskegon Channel: Slow--No Wake Speed.
- (b) On the waters of the channel which begin at the North Pier Inner Light and the Muskegon Lake Light Horn and end at the North Pier Outer Light, all within section 28, town 10 north, range 17 west, in the city, it is unlawful for the operator of a vessel to exceed a Slow--No Wake Speed.
- (c) The boundaries of the area described in subsection (b) of this section shall be marked with signs and with buoys. All buoys must be placed as provided in a permit issued by the state department of natural resources and be in conformance with the state uniform waterway marking system.
- (d) Pursuant to the authority found in MCL 324.80171, any person violating this ordinance shall be guilty of a misdemeanor.

(Ord. No. 1195, 8-10-1999)